IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

LA.App..No. 785 of 2003()

LAR.9/1999 of PRINCIPAL SUB COURT, N.PARAVUR
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APPELLANT: ADDL.2ND RESPONDENT

KOCHI INTERNATIONAL AIRPORT SOCIETY,
ANGAMALY, REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADV. SRI.N.N.SUGUNAPALAN, SC, KIAS LTD.

RESPONDENTS: CLAIMANT/1ST RESPONDENT
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1. VALSA, W/O. THOMAS, THOTTUNGAL HOUSE,
THURAVUKMARA.

2. STATE OF KERALA, REPRESENTED BY THE
DISTRICT COLLECTOR, ERNAKULAM.

BY ADV. SRI.K.S.BABU
SMT.N.SUDHA
GOVERNMENT PLEADER SMT.K.R.DEEPA.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 15.10.2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO.785 OF 2003

Dated 15th October, 2007.

J U D G M E N T

Kurian Joseph, J.

This appeal pertains to the acquisition for Kochi International Airport, Nedumbassery. It is seen that the reference court has fixed the land value at 96% over and above the land value fixed by the Land Acquisition Officer. In LAA 412/01 and several connected cases, this court has held that proper fixation would be 45% over and above the land value fixed by the Land Acquisition Officer. Therefore, we partly allow this appeal and hold that the claimant will be entitled to enhancement only at the rate of 45% over and above the value fixed by the Land Acquisition Officer. The claimant shall also be entitled to all eligible statutory benefits including interest on solatium. The judgment and decree will stand modified to the above extent.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

L.A.A. NO.785 OF 2003

J U D G M E N T

Dated 15th October, 2007.